

TOWN OF FOREST HEIGHTS, MARYLAND
TOWN WORK SESSION MEETING
VIRTUAL MEETING | WEDNESDAY, JUNE 7, 2021, | 7:30PM
AGENDA

Call to Order 7:30PM

Roll Call Council:

| | | |
|---|----------------------------------|---------------------------------|
| 1. Habeeb-Ullah Muhammad, Mayor | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |
| 2. Calvin Washington, Council President -- Ward I | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |
| 3. Robert Barnes, Councilman -- Ward I | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |
| 4. Clifton Atkinson, Councilman -- Ward II | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |
| 5. Vacancy | | |
| 6. Taunya Hines, Councilwoman -- Ward III | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |
| 7. Paula Noble, Councilwoman -- Ward III | <input type="checkbox"/> Present | <input type="checkbox"/> Absent |

I. Moment of Silence

II. Pledge of Allegiance to the Flag of the United States of America

III. Approval of Agenda

a. Minutes from May 19, 2021

IV. Public Period (limit 2 minutes)

V. **Staff Report:**

- a. Treasurer's Report
- b. Public Works
- c. Greenwill Consulting
- d. Code Enforcement
- e. Ombudsman's Report
- f. Chief of Police
- g. Town Administrator

VI. **Ward Reports:**

- a. Ward I
- b. Ward II
- c. Ward III
- d. Mayor Report

VII. **Legislation**

- a. **RESOLUTION 24-21:** A RESOLUTION TO APPROVE AN AMENDMENT OR CHANGE ORDER FOR A PUBLIC WORKS CONTRACT WITH FORT MYER CONSTRUCTION CORPORATION FOR THE PROJECT ALONG NORTH HURON DRIVE
- b. **RESOLUTION 25-21:** A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE NEIGHBORHOOD DESIGN CENTER, INC. AND THE TOWN OF FOREST HEIGHTS TO PROVIDE AN ARBORIST LED TREE INVENTORY WITH MANAGEMENT AND REPLANTING RECOMMENDATIONS FOR ROADSIDE AND PUBLIC TREES
- c. **RESOLUTION 26-21:** A RESOLUTION TO APPOINT A SUCCESSOR TO FILL THE VACANCY IN THE OFFICE OF COUNCILMAN FOR WARD II
- d. **RESOLUTION 27-21:** A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF MELVIN BROWN AS A POLICE OFFICER TO SERVE WITHIN THE FOREST HEIGHTS POLICE DEPARTMENT AND TO APPROVE A REIMBURSEMENT AGREEMENT
- e. **RESOLUTION 28-21:** A RESOLUTION APPROVING A PURCHASE AND SERVICE AGREEMENT WITH BILL.COM REGARDING ELECTRONIC BILL PAYMENTS FOR A FINANCE AUTOMATION PILOT PROGRAM TO BE ADMINISTERED BY THE FOREST HEIGHTS POLICE DEPARTMENT

VIII. New Business

IX. Adjournment

<https://us02web.zoom.us/j/86008316885>

Meeting ID: 86008316885

One tap mobile

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Dial by your location +1 301 715 8592 US (Washington DC)

Meeting ID: 86008316885

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, May 19, 2021
Meeting Minutes
Virtual Meeting**

Call to Order: 7:59 PM

Roll Call: CW Hines, CM Atkinson, CW Noble, CM Washington, CM Barnes, CM Kennedy II (arrived late) Mayor Muhammad present. Quorum established.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CM Washington to approve the agenda; seconded by CW Hines; all in favor; motion passed.

Public Period: Ms. Jacqueline Goodall voiced her concerns that CM Kennedy II had been sitting on his seat for 13 years, which would be the maximum amount an official could serve at 1 time without a break. She recalled that the rule had been put in place to allow others the chance to run for office. She asked that the Town respect the wishes of the original intent of the charter change. CM Kennedy II stated that he came in 2009 so that 2021 would be the final year, the Town Clerk answered in the affirmative.

Ms. Camille Stevens noted that she received a newsletter on Sunday for a Special Meeting that had already occurred.

Legislation:

Resolution 19-21: A Resolution authorizing the Mayor to enter into a professional services contract on behalf of the Town of Forest Heights (The "Town") to obtain a boundary survey with a metes and bounds description and an annexation plat for the proposed ninth extension to include the Faith subdivision parcel, located at 5701 Livingston Road, owned by a tax-exempt entity in order to prepare certain documents necessary for municipal annexation; motion by CM Washington to waive the full reading; seconded by CW Hines; motion by CM Washington to adopt Resolution 19-21; seconded by CW Hines; all in favor; no discussion; vote (7 yes; 0 no); motion passed.

Resolution 21-21: Fiscal Year 2021 Budget Amendment; motion by CM Washington to waive the full reading; seconded by CW Hines; all in favor; motion by CM Washington to adopt Resolution 21-21; seconded by CW Hines; all in favor; vote (7 yes; 0 no) motion passed.

Resolution 23-21: A resolution of the Mayor and Council of the Town of Forest Heights, Maryland to approve the employment and appointment of Dalonta Harmon as a police officer to serve within the Forest Heights Police Department and to approve a reimbursement agreement; motion by CM Washington to waive the full reading; seconded by CW Hines; motion by CM Washington to adopt Resolution 23-21; seconded by CW Hines; all in favor; vote (7 yes; 0 no) motion passed.

Resolution 22-21: Establish Fiscal Year 2022 Tax Rates (with reading of 1st paragraph by Mayor Muhammad) motion by CM Washington to waive the full reading seconded by CW Hines; motion by CM Washington to adopt Resolution 22-21; seconded by CW Hines; all in favor; vote (7 yes; 0 no) motion passed.

New Business: CM Barnes noted that he wished to place David Acevido for Ward II candidate. Mayor Muhammad replied that the council would decide whether to have an election on the next meeting on June 7th.

CW Noble stated that the budget hearing is scheduled for June 14. She asked about what the schedule is for the distribution of newsletters.

CW Hines thanked everyone for attending the ribbon cutting ceremony on May 7th. She thanked CW Noble, CM Washington, Mayor Muhammad, and CM Kennedy for attending and supporting the event.

Meeting Adjourned: 8:20 PM

**Town of Forest Heights
Treasurer's Report
June 3, 2021**

| | Bank Acct Balance <u>06/02/21</u> | Quickbook Balance <u>05/31/21</u> | Quickbook Balance <u>05/30/20</u> |
|--------------------------------|---|---|---|
| TD Bank General Fund | 178,388.64 | 151,495.31 | 249,413.29 |
| TD Bank Rainy Day Fund | 160,132.40 | 160,132.40 | 157,132.40 |
| TD Bank Speed Camera | 3,398,036.72 | 3,398,036.72 | 3,044,744.84 |
| TD Bank Municipal Money Market | 213,664.59 | 213,664.59 | 213,664.59 |
| | <u>3,950,222.35</u> | <u>3,923,329.02</u> | <u>3,664,955.12</u> |

General Fund Highlights:

1. Transfer of funds from Speed Camera Account to General Fund - \$250,000.00
2. Real Estate Tax distribution - \$11,964.04
3. Highway User distribution - \$14,994.20
4. LGIT vehicle loss payout - \$14,760.00
5. Local Income Tax distribution - \$50,978.59
6. MD DNR Project Open Space Grant / Comm. Gathering Space - \$22,000.00
7. MD DNR Project Open Space Grant / Comm. Garden - \$5,630.59
8. MD DNR Project Open Space Grant / Comm. Gathering Space - \$13,634.87
9. SHA Safe Routes to School Grant - \$63,621.96
10. GOCCP Recruitment and Retention Grant - \$4,750.00

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

June 4, 2021

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Bigbelly Trash Compactors

Town Infrastructure:

- Two (2) EV Chargers has been installed in the parking lot of the Municipal building. They are operational. One of the four ports is not working due to a bad circuit board. It will be replaced.
- Pepco will also install another EV Charger on the lot next to Henrys. Pepco has received from DPIE the permits needed to continue with the install. With preparing the site, Equipment, and inspections, the estimated date of completion is the end of July/August.
- I have also spoken with Mrs. Gonzales concerning Pepco suppling power to the new town sign that is to be placed on the lot next to Henrys. We will have to apply for a new service. Also, I am in the process of communicating with Weisman Electric.
- Faulkner Landscape is now cutting all of the public areas in the town.
- Negotiations are still ongoing concerning the MOU with State Hwy. to grant Forest Heights permission to service MD-210 from I-495 to the DC line.
- **N. Huron Drive**
 - A Ribbon Cutting Ceremony for SRTS sidewalk project was held on May 7, 2021.
- **Sachem Drive – Hill:**
 - Project Completed
- Both parties, Goode Trash & TOFH, working for a better solution to eliminate the excess trash in the streets. This is an ongoing effort. There are still a number of complaints coming in from the town's residents.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

- Received the final document “TOFH Preliminary Stormwater Management Study” from Emily Clifton (LID) which shows possible BMP’s for TOFH Storm Water Management issues.
- Emily Clifton will send over some recommended maintenance guidelines for permeable pavers?

➤ Cree Drive

- RFP for “Cree Drive Drainage Improvements and Road Repair” has been reposted. The new closing date is June 11, 2021.

The pavement is heavily distressed/cracked due to a number of overlays and groundwater run-off. Residents have sent in numerous complaints about Cree Dr., this has not been overlooked or forgotten. There have been a number of inspections performed pertaining to Cree Dr. Government agencies, Contractors, WSSC, as well as Engineering Firms have looked at the cause of the breakdown of the pavement. The water has been tested by PG Department of the Environment to try to determine its origin. It is still to be determined. It is believed that approx. 50% of the water source may be coming from the homeowner. It’s not in the best interest of the street to repair one or two areas, as the water has not ceased to flow. To repair Cree Drive, it will be a very intensive and expensive venture.

➤ Rolph Drive

- The Pervious Concrete Sidewalk has started faulting and cracking. Mr. Drew Parks (Z-Con Concrete) came out to inspect the sidewalk. He has provided the town with a cost estimate (\$8,319.61) to clean and repair the sidewalk.
- I received an email from Jenni Woolworth (AD Marble) recently, Mrs. Woolworth states “Our opinion is that the sidewalk settling is a result of the underground water flow saturating and shifting the backfill that was placed above the drainage system and below the pervious sidewalk. The saturation of the backfill due to underground water flow is unavoidable.”

Building Infrastructure:

- The Town Hall building is being cleaned and sanitized daily by DPW.
- Electricians are working to restore Power to the Public Works Garage.
- Receive estimates from Greenskeeper and Ciminnelli Landscapers on the repairing of the Pervious pavers and drainage for raingarden in front of the Municipal building.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

Equipment Maintenance

- Purchased three (3) new Echo edge trimmers.
- Changed oil/filter on X-Mark walk behind mowers.

Other Areas:

- Answering Resident Communication
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily.
- Working with Neighborhood Design Center for a NFWF preliminary grant award for community forestry
- DPW performed a clean out abatement at 128 Senaca Dr.
- Submitted the National Pollutant Discharge System (NPDES) Stormwater Permit Report to Low Impact Development
- Received notification about the start of spraying for Mosquitos.

Town Council Work Session Report For 6.7.21

(Town Administrator)

Reminder: Forest Heights Police Department Now Provides 24-Hour Patrol Coverage

As you know, the Forest Heights Police Department has grown significantly of late in terms of personnel, vehicles and needed safety and support equipment.

Over the last few months, Police Chief Rease has filled several positions including the hiring of supervisory Police Lieutenants as part of his plan to provide management and leadership to sustain efficient and effective operations, as well as realize the goal of providing 24-hour police protection for Forest Heights.

As a reminder, on February 24th, the police department began 24-hour patrol coverage throughout the town. This is a milestone for Forest Heights that has been in the making for quite some time and a goal of the Mayor since the beginning of her tenure.

The Police Department has also moved into new, temporary office space located at 606 Modoc Lane. You are encouraged to visit the new space for a tour if interested!

For more information, please contact Police Chief Rease.

Recent Personnel Action

On May 21st, **Corporal Ronald Govan** tendered his resignation with the Forest Heights Police Department. Mr. Govan has served Forest Heights in his capacity as a sworn police officer since 2016. He also served as the Towns' speed camera program Ombudsman during his tenure.

We are grateful for his service to the town and wish him the best in his future endeavors!

New Electric Vehicle Charging Stations at Municipal Building

The Town has installed two (level 2) electric vehicle charging stations in the Municipal building parking lot. The facilities provide a total of four chargers available to the public to recharge vehicles.

The stations were installed and are maintained by PEPCO at no cost to the Town. However, users will pay a cost of \$0.18/per kilowatt for charging. The stations are available 24-hours per day as a way to promote and offer greater opportunities to use clean energy.

Contact the Public Works Department for further information.

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 24-21**

**A RESOLUTION TO APPROVE AN AMENDMENT OR CHANGE ORDER FOR A
PUBLIC WORKS CONTRACT WITH FORT MYER CONSTRUCTION
CORPORATION FOR THE PROJECT ALONG NORTH HURON DRIVE**

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the North Huron Drive Sidewalks – Phase I Project (Contract No. FHRFB 2-17) included reconstruction of more than 2,300 linear feet of pervious concrete sidewalk, reconstruction/upgrades to driveway aprons, construction of ADA compliant concrete ramps, tree and fence removal and installation, and pavement markings to allow for pedestrian flow and access to the area schools; and

WHEREAS, at its August 21, 2019, Town Council meeting, the Town Council approved Resolution 52-19 which awarded the bid and authorized the Mayor to execute a contract on behalf of the Town with Fort Myer Construction Corporation for the construction of a sidewalk along North Huron Drive for a total cost of \$539,449.10; and

WHEREAS, Resolution 42-20 was passed on July 15, 2020, to approve Change Order #1 (also known as Extra Work Order (“EWO”) #1) for the contract with Fort Myer Construction Corporation, regarding an issue raised by the awardee indicating that “there are some line items missing in the proposal such as GAB [Graded Aggregate Base] under the driveway[s];” and

WHEREAS, said price addition under Change Order #1 increased the overall amount of the bid response from \$539,449.10 to \$555,764.10, but would still result in the Fort Myer bid response being the lowest bidder; and

WHEREAS, the North Huron Safe Routes to School Project has been completed except for additional change orders pertaining to similar issues emanating from the unforeseen work items that were not anticipated in the original bid’s scope of work but needed to complete the project in a timely manner during the declared COVID-19 emergency and since the public schools announced reopening for in-person hybrid learning starting in April 2021; and

WHEREAS, although the Mayor is delegated certain emergency powers during a declared health emergency to issue orders as are imminently necessary for the protection of life and property, and make emergency contracts and amendments to contracts not exceeding \$10,000 under Section 20.4 of the Town Code, the Mayor finds that it is in the best interest of the Town to have Change Order #2, including nine (9) items added to the scope of work, as ratified by the Council in this Resolution; and

WHEREAS, the table attached hereto as Exhibit 1 entitled “TOFH Close Out (Invoice #6)” depicts the nine line item changes, highlighted in red text, added to the scope of work entailing 37 discreet tasks or work items for North Huron Project; and

WHEREAS, both parties to the then proposed contract at the time agreed that this aspect of the scope of work was not made explicit in the advertised bid package nor was it adequately addressed in the original bid response by Fort Myer; and

WHEREAS, the price addition for Change Order #2 is \$38,146.18 and would increase the overall amount of the contract’s consideration from \$555,764.10 to \$593,423.06; however since \$487.22 remains unexpended from the previous authorization only \$37,658.96 of additional funds are needed to be added to the authorized contract to cover the total price of work performed (\$593,423.06); and

WHEREAS, the following individual item change orders (Silt Fence (Item 3004) & Sediment Tank (Item 3005), ADA compliance (Items 2005, 5001, 5006, 6008, 6009), Asphalt Berm (Item 3006) submitted by the Contractor, Fort Meyer Construction Corporation, are attached hereto as Exhibits 2 through 4; and

WHEREAS, in addition, the following individual item change orders necessitated are the following (i) 3 driveways (grade too steep, cars dragging), (ii) panels (5-6) at Community Garden where newly poured sidewalk was covered with plastic and someone on bicycle drove through on top of plastic and caused ruts that made it unacceptable under ADA standards when inspected, and (iii) unidentified trucks drove over sidewalk panels and damaged them near Bell Acres Park, are also enumerated in Exhibit 1; and

WHEREAS, the Town has received Safe Routes to School monies in the amount of \$211,000.00 from the SHA to assist with the funding of this project; and

WHEREAS, since the contract had been executed, and performed and the changes described herein were necessary and reasonably needed to be expedited, the Town Council finds it to be in the best interest of the Town to approve the above-described Change Order #2 or amendment as described herein.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Forest Heights, Maryland have received, reviewed and approved the attached exhibits depicting the unit cost adjustments to the original bid amount, as adjusted by Change Order #2, as submitted by Fort Myer Construction Corporation referred to as Exhibits 1-5 of this Resolution.

AND, BE IT FURTHER RESOLVED that the Town Council hereby amends and ratifies Resolutions 52-19 and 42-20, to conform with the intent of this Resolution and to further approve and authorize the Mayor to execute a contract amendment or change orders with Fort Myer Construction Corporation in the revised amount of \$593,423.06 to carry out the

performance of the project described hereinabove to be paid from Budget line item 8018 "North Huron Street Reconstruction."

AND, BE IT FURTHER RESOLVED, that the Town Council of Forest Heights, Maryland hereby authorizes and approves the Mayor on behalf of the Town to execute any other related instrument or document necessary to carry out the intent of this Resolution.

AND, BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this 16th day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

| <u>ROLL CALL VOTE</u> | <u>YEA/NAY/ABSTAIN/ABSENT</u> |
|-----------------------|-------------------------------|
| MUHAMMAD | _____ |
| KENNEDY II | _____ |
| NOBLE | _____ |
| BARNES | _____ |
| HINES | _____ |
| WASHINGTON | _____ |
| ATKINSON | _____ |

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF
FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

Habeeb-Ullah Muhammad, Mayor

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 16th day of June 2021 with _____ Aye votes and _____ Nay vote the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk

Exhibits 1-5 (change orders and ToFH Close Out (Inv. #6) spreadsheet)

The Town of Forest Heights
Resolution 24-21

TOWN OF FOREST HEIGHTS
RESOLUTION 25-21

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING BETWEEN THE NEIGHBORHOOD DESIGN CENTER, INC. AND THE TOWN OF FOREST HEIGHTS TO PROVIDE AN ARBORIST-LED TREE INVENTORY WITH MANAGEMENT AND REPLANTING RECOMMENDATIONS FOR ROADSIDE AND PUBLIC TREES

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Neighborhood Design Center (NDC) has been awarded a National Fish & Wildlife Foundation grant to assist small municipalities within Prince George's County with their urban forestry plan, and the Town of Forest Heights (the Town) is interested in partnering with NDC to support their urban forestry program for approximately 1,200 public trees with a tree inventory, tree maintenance recommendations and to make an application to MD Department of Natural Resources (DNR) for a roadside tree care blanket permit; and

WHEREAS, unlike Roadside Tree Project Permits issued for a specific tree or group of trees for specific tree care operations, Roadside Tree Blanket Permits are issued for comprehensive and continuing programs of general tree care such as those administered by State agencies, counties, municipalities, corporations, and public utilities; and

WHEREAS, a roadside tree is any tree whose trunk grows all or in part within a public road right-of-way, regardless of ownership of the physical property (Town platted streets are typically 50 feet in width including both improved and grassy areas of the street), and before a roadside tree is trimmed or cared for in any way, a Tree Care Permit must be obtained from the DNR Forest Service, and a permit is also required when underground construction, such as tunneling, trenching, or boring, impact the root zone of a roadside tree, and planting a tree within the public road right-of-way also requires a permit, and any work performed on a roadside tree must be done by a Roadside Tree Care Expert (employed by a public agency) or a Maryland Licensed Tree Expert, and when tree care is performed on a roadside tree without a permit, a fine may be assessed or more severe actions taken by the DNR Forest Service; and

WHEREAS, the Charter of the Town of Forest Heights (the "Charter"), Section 33-20(b)(11) and (25) authorizes the Council to make agreements with other governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions, and to accept gifts and grants of Federal or of State funds from the Federal or State governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made; and

WHEREAS, the Charter, Section 33-20(b)(11) and (25) authorizes the Town to have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County, and subject to the laws of the State of Maryland and the Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

TOWN OF FOREST HEIGHTS
RESOLUTION 25-21

WHEREAS, the Town will provide community and stakeholder outreach, logistical support where needed, and metrics reporting of hours and funds spent to satisfy its in-kind contribution, and the in-kind contribution from the Town is anticipated to be approximately \$5,000 in staff / volunteer hours and expenses to occur during 2021; Budget Line Item 7264; and

WHEREAS, the Council finds that the purpose of this MOU is consistent with advancing the interests of the Town to promote the health, safety and welfare of the Town's residents, and is in keeping with the general welfare clause of Section 33-21 of the Charter.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves and ratifies the "Memorandum of Understanding" dated 5/10/2021 between the Neighborhood Design Center, Inc. and the Town of Forest Heights to provide an arborist-led tree inventory with management and replanting recommendations for roadside and public trees, attached hereto as Exhibit A and incorporated by referenced herein (the "MOU"); and

BE IT FURTHER RESOLVED, the Town Council further delegates to the Town Administrator the requisite authority to execute said MOU on behalf of the Town including any appropriate indemnification or liability release forms deemed necessary, and that the MOU shall be deemed to be approved, and authorized as of the effective date of this Resolution; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

VACANT

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

TOWN OF FOREST HEIGHTS
RESOLUTION 25-21

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Mayor Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of June 2021 with ____ Aye votes and ____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk

Exhibit A, (MOU re: Neighborhood Design Center (NDC)) dated 5/10/2021, attached hereto.

RESOLUTION 26-21
THE TOWN OF FOREST HEIGHTS

**A RESOLUTION TO APPOINT A SUCCESSOR TO FILL THE VACANCY IN THE
OFFICE OF COUNCILMAN FOR WARD II**

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, Councilman Jonathon W. Kennedy, II finished his elective service to the Town due to the term limits placed in the Town Charter almost ten years ago with a 2011 amendment to Section 33-3, and he was initially elected to start this recent run of continuous service by special election held on May 19, 2009, to fill a vacancy in Ward II; and

WHEREAS, the Mayor and Council find that Councilman Kennedy's elective service mandatorily ended by operation of law on May 19, 2021, which was the 12th anniversary of his continuous years of service as a councilman, with was just over one year into his current term of office, as he was last elected in March of 2020; therefore, on May 19, 2021, having just 10 months remaining in Councilman Kennedy's last term of office, a vacancy now exists in Ward II; and

WHEREAS, the Town Charter, §33-11 provides that if a vacancy on the Town Council occurs less than fifteen (15) months prior to the next election, the Council shall appoint a person qualified in accordance with Section 33-4 to fill such vacancy until the next regular election; and

WHEREAS, said §33-11 further provides that the person appointed shall reside in the same ward as his predecessor, and the appointment shall require the favorable votes of a majority of the remaining Council members; and

WHEREAS, pursuant to §33-7 of the Town Charter, the Council shall be the judge of the qualifications, as contained in Sections 33-4 and 33-16, of its members; and

WHEREAS, although the councilmembers may suggest other names, the Mayor has recommended or suggests two candidates to fill the vacancy and the Council which includes Mr. David Acevedo and former Councilwoman Theresa Brownson; and

WHEREAS, the Town Ordinance Code, §14.5(a)(3)(ii) requires that an individual who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the immediately preceding calendar year within 30 days after appointment.

NOW THEREFORE BE IT RESOLVED, that the Town Council finds the following named candidate to be qualified and hereby approves and appoints [name] _____ to fill the vacancy in the Office of Councilman for Ward II, as described above, for the remainder of the current term which ends on or about March 16th of 2022; and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign this Resolution on behalf of the Council; and

RESOLUTION 26-21
THE TOWN OF FOREST HEIGHTS

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

| <u>ROLL CALL VOTE</u> | <u>YEA/NAY/ABSTAIN/ABSENT</u> |
|-----------------------|-------------------------------|
| MUHAMMAD | _____ |
| VACANT | _____ |
| NOBLE | _____ |
| BARNES | _____ |
| HINES | _____ |
| WASHINGTON | _____ |

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of June 2021 with ____ Aye votes and ____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk

**TOWN OF FOREST HEIGHTS
RESOLUTION 27-21**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS,
MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF MELVIN BROWN
AS A POLICE OFFICER TO SERVE WITHIN THE FOREST HEIGHTS POLICE
DEPARTMENT AND TO APPROVE A REIMBURSEMENT AGREEMENT**

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the "Charter") the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Melvin Brown has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Police Officer in the Police Department and it is in the best interest of the Town to appoint Mr. Brown as a Police Officer.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby consents to the Mayor's appointment of Melvin Brown as Police Officer at the annual salary of \$50,000.00; and

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item 7269 Salary from the FY2021 Budget; and

BE IT FURTHER RESOLVED, that the Town Council hereby approves the Reimbursement Agreement, attached hereto and incorporated herein, as Exhibit 1, which requires said Officer to reimburse the Town in an amount not to exceed \$5,000 should he be unwilling to serve the requisite minimum of two (2) years.

**TOWN OF FOREST HEIGHTS
RESOLUTION 27-21**

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

VACANT

NOBLE

BARNES

HINES

WASHINGTON

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN OF FOREST
HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 28-21**

**A RESOLUTION APPROVING A PURCHASE AND SERVICE AGREEMENT WITH
BILL.COM REGARDING ELECTRONIC BILL PAYMENTS FOR A FINANCE
AUTOMATION PILOT PROGRAM TO BE ADMINISTERED BY THE FOREST
HEIGHTS POLICE DEPARTMENT**

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, Section 33-50 (Checks) of the Charter of the Town of Forest Heights requires that all checks issued in payment of Town obligations shall be signed by two persons who shall be designated from time to time by resolution of the Council, provided that if they shall fail to designate such persons, all checks shall be signed by the Mayor and counter-signed by the Town Administrator or Town Clerk, and in either person's absence or incapacity, the President of the Council, or in his absence, a Council member with the approval of a majority of Council members, may sign or counter-sign a check and the Council by resolution may establish an alternate system whereby electronic payments of authorized purchases may be accomplished through banking institutions, provided documentation shall be maintained; and

WHEREAS, according to Wikipedia, Bills.com is a US-based web site providing financial planning tools and financial services including bill payment; and

WHEREAS, the Town Administrator along with the Chief of Police and the Town Treasurer have recommended that the Mayor and Council consider a pilot program to allow the Police Department to move toward the purchase and use of Bill.com's integrated electronic check issuing service at the following price (service fee) structure:

| | | |
|-----------------------------------|---|-----------------|
| Monthly fee: | \$69 per user per month (Estimated 4 users initially) | \$276.00 |
| Fee per payment/check: | \$1.69 (estimate average of 50 checks a month) | \$ 84.50 |
| Fee per e-payment/ACH: | \$0.49 (estimate average of 20 e-payments) | \$ 9.80 |
| Approx. Total Monthly Fee: | | \$370.00 |

WHEREAS, ACH stands for Automatic Clearing House and are electronic payments made through the ACH network, a secure system and federally regulated network for clearing electronic payments between banks, managed by NACHA (the National Automated Clearing House Association), which is much faster than using paper checks; and

WHEREAS, according to its website, Bill.com integrates with QuickBooks and other accounting programs to enable a business entity or government to pay bills electronically via ACH and has the capability to receive payments electronically from payors; and

WHEREAS, paying invoices and bills with Bill.com can be scheduled to be paid with a single click and the accounts payable product simplifies the complicated and time-consuming bill

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 28-21**

approval process by automatically routing bills to approvers, and Town officials can approve invoices to be paid remotely, whereby electronic payments made through Bill.com are designed for security since data in transit is encrypted with Transport Layer Security (TLS); and

WHEREAS, the Mayor and Council finds that engaging the services of Bill.com will be an efficient and cost effective way to pay a portion of the Town's bills in a manner that is consistent with the Town Charter.

NOW THEREFORE BE IT RESOLVED, by the Mayor and the Town Council of the Town of Forrest Heights, that the Treasurer and the Town Administrator are hereby authorized to enroll in Bill.com's Bill Payment Service, according to the terms and conditions found at <https://www.bill.com/legal/terms-of-service>, and associate one or more bank account(s) with the Town's Bill.com account.

AND BE IT FUTHER RESOLVED, that this service shall be paid from line item 7042 – Service Contracts of the FY 2021 annual budget; and

AND BE IT FUTHER RESOLVED, that the Mayor and her designees shall take reasonable precautions to ensure account security and the mitigation of possible theft, embezzlement, loss, compromise or unauthorized use, and further restrict, dedicate and regulate the amount of funds available to the account(s) designated for bill paying through Bill.com.

AND BE IT FUTHER RESOLVED, that the Mayor is authorized to sign this Resolution and it shall take effect on the day it is adopted.

PASSED this ____ day of June 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

VACANT

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Town of Forest Heights

Resolution 28-21

Page 2

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 28-21**

Sherletta Hawkins, Town Clerk

By: _____
Mayor Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

[Exhibit - BILL.COM General Terms of Service and proposal doc.]

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of June 2021 with ____ Aye votes and ____ Nay votes the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk